

(1) Verified Sixth and Final Account and Report of Conservator of the Person and Estate of Conservatee and (2) Petition for Discharge of Conservator on Final Account (Prob. C. 2620)

DOD: 4-19-04		<p>STEPHEN RONALD CLOUD, brother and Conservator of the Person and Estate, is Petitioner. Mr. Cloud was originally appointed on 5-14-92 as a Co-Conservator with his father. After his father's death, he continued as sole Successor Conservator.</p> <p>Account period: 6-30-02 through 4-19-04 Accounting: \$6,161,806.23 Beginning POH: \$2,578,039.04 Ending POH: \$6,651,121.65 (Less Liabilities: \$1,104,424.00) Ending POH: \$5,546,697.65</p> <p>Account period: 4-20-04 through 9-30-12 Accounting: \$8,568,524.54 Beginning POH: \$5,546,697.65 Ending POH: \$6,511,093.10 (Less Liabilities: \$1,505,118.00) Ending POH: \$5,005,975.10 (\$1,961,471.54 cash plus non-cash assets including notes receivable, business shares, partnership interests, debt instruments, real property, accrued income, and retirement accounts.)</p> <p>Petitioner prays that:</p> <ol style="list-style-type: none"> 1. Notice of hearing of this Account, Report and Petition be given as required by law; 2. That the Court make an Order allowing and settling the account and report of the Conservator in all respects as filed; 3. The Court authorize Petitioner to repay from the Conservatorship Estate to the trustee of the Stephen Ronald Cloud, Jr., and Ryan John Cloud Irrevocable Trusts the sum of \$1,505,118.00, which represents the amount of Estate Taxes paid by the above-mentioned Trusts for the benefit of the Conservatee; 4. The Court authorize and direct the Conservator to deliver the property remaining in his possession to himself as Executor of the Estate of Rhonda Jane Cloud, and that on delivering the property and filing Petition for Final Discharge, together with proper receipts, the Conservator of the Person and Estate be discharged and surety on any bond be discharged; and 5. Other relief be granted that the Court considers proper. <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner is also executor of the estate in 06CEPR00768. See Page 14 (Status hearing).</p> <p>1. The Court may require notice to the following interested parties: - Steven Cloud, Jr. - Ryan Cloud - Joanne Sanoian (attorney for Steven Cloud, Jr.)</p>
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Reviewed by: skc

Reviewed on: 12-7-12

Updates:

Recommendation:

File 1 - Cloud

Page 2**Petitioner states:**

- Conservatee was Petitioner's sister and the last survivor of Petitioner's family. After her death, Petitioner became despondent and was not able to address the myriad of details associated with the termination of the conservatorship and the probate of the Conservatee's estate.
- At hearing on the accounting on 3-8-11, Attorney Janet Wright appeared on behalf of Mrs. Elaine Cloud and informed the Court that her client had filed for legal separation from Petitioner and Mrs. Cloud wanted to be sure that Petitioner was not waiving certain rights to monies owed by the conservatorship estate to Petitioner. (He has not.)
- At a subsequent hearing, Attorney Joanne Sanoian appeared on behalf of Steven Cloud, Jr., who is a beneficiary of the probate estate, and stated that her client might retain a forensic accountant in this matter.
- Due to Petitioner's pending divorce proceedings, and the result of the work of a forensic accountant in that matter, continuance was granted because such work might answer some of Steven Cloud, Jr.'s questions.
- Because the additional information from other sources developed slowly, on 6-21-12, the Court dismissed the accounting petition with instructions to re-file. Petitioner has now incorporated the information which was made available from review of information in the family law proceeding.
- Since Conservatee's death (DOD: 4-19-04), Petitioner has used his own funds to pay expenses of the estate.
- During the existence of the conservatorship estate, it was common practice for the conservators to directly pay the obligations of the conservatorship estate with the expectation of repayment. In addition, the trustee of certain irrevocable trusts created FBO the Conservatee's nephews, who are the ultimate beneficiaries of the conservatorship estate, advanced the Conservatorship Estate monies to pay the state and federal taxes due at the Conservatee's death.
- To the best of Petitioner's knowledge, all intra-family transactions are accounted for in this accounting. Many of these transactions occurred prior to the Conservatee's death. As a result, the Conservatorship Estate consists of monies payable to the Conservatorship Estate by Petitioner and by closely held businesses of which Conservatee was a co-owner or co-shareholder. These monies payable are set forth in Schedule E on Exhibit B. In addition, there is an obligation that the Conservatorship Estate owes to the irrevocable trusts for the nephews.
- The beneficiaries of the Conservatee's probate estate will be two testamentary trusts created under the Conservatee's will. This Final Account shows distribution of approx. \$1,779,985.14 to the trustee of the trusts, which was made in part to repay the trusts for the monies the trusts advanced to pay the Conservatee's estate taxes. On or about 6-27-11, the trustee returned the distributions.
- Petitioner has filed a corrected I&A in this Conservatorship Estate matter, removing an asset that was mistakenly included twice on prior inventories.
- Petitioner was appointed Executor of the Estate of Rhonda Jane Cloud on 8-29-06 in 06CEPR00786.

Atty LeVan, Nancy J. (for Petitioner Antonette Fregoso)

(1) Report of Administrator, (2) Petition for Distribution Upon Waiver of Account
and (3) Allowance of Fees for Attorney

DOD: 1/26/2004		ANTONETTE FREGOSO,	NEEDS/PROBLEMS/COMMENTS:
		Administrator, is petitioner.	
		Accounting is waived.	
Cont. from 091712, 110112		I & A - \$264,250.00	Continued from 11/01/12. Need amended petition based on but not limited to the following:
	Aff.Sub.Wit.	POH - \$ 1,500.00	1. Cynthia Arroyo was originally the attorney of record in this case. Pursuant to §10814 Attorney Arroyo would be entitled to a portion of the statutory attorney fees.
✓	Verified	Administrator - waives	2. Need proof of service of the Notice of Hearing on Cynthia Arroyo pursuant to California Rule of Court 7.704(b).
✓	Inventory	Attorney - \$4,099.00	3. Need allowance or rejection of Creditor's Claim of Employment Development Department in the amount of \$444,816.51 filed on 1/8/2007. California Rules of Court 7.401.
✓	PTC		4. This waiver of account does not include information required by California Rules of Court 7.550
✓	Not.Cred.		(1) Creditor's claims
✓	Notice of Hrg		(2) Sales purchases, or exchanges of assets
✓	Aff.Mail		(3) Changes in the form of assets
	Aff.Pub.		(9) Calculation of fees or commissions as described in rule 7.705.
	Sp.Ntc.		5. Need calculation of Attorney fees. California Rules of Court 7.705.
	Pers.Serv.		6. Need current status of all inventoried items. Local Rule 7.13.
	Conf. Screen		7. Order does not comply with Local Rule 7.6.1.
✓	Letters 6/15/04		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 12/6/12
			Updates:
			Recommendation:
			File 2 - Canales

Petition for Final Distribution on Waiver of Accounting

DOD: 10-5-09		DEREK SCHOENLEIN , Executor with Full IAEA without bond, is Petitioner.
		Accounting is waived.
		I&A: \$289,732.91
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/o
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	10-31-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	
		POH: \$274,259.66 (real property in Fresno, real property interest in Madera, personal property including stock, vehicle, cash in the amount of \$44,624.81.
		Executor (Statutory): Waived
		Closing: \$2,000.00
		Distribution pursuant to Decedent's will and Probate Code §11801 (deceased distributee):
		Estate of Robert Schoenlein (Marilyn Schoenlein as personal representative): A 75% interest in Decedent's 50% interest in certain real property in Madera, CA
		Derek Schoenlein: A 12½% interest in Decedent's 50% interest in certain real property in Madera, CA, plus an undivided 50% interest in the residue to of the estate including real property in Fresno, stock, vehicle, personal property, and cash.
		Debbie Schoenlein: A 12½% interest in Decedent's 50% interest in certain real property in Madera, CA, plus an undivided 50% interest in the residue to of the estate including real property in Fresno, stock, vehicle, personal property, and cash.
NEEDS/PROBLEMS/COMMENTS:		
<u>Note:</u> Examiner has interlineated the order to reflect distribution of cash in the amount of \$21,312.40 to Derek and Debbie in accordance with Local Rule 7.6.1.A. (Monetary distributions must be stated in dollars.)		
Reviewed by: skc		
Reviewed on: 12-6-12		
Updates: 12-10-12		
Recommendation: SUBMITTED		
File 3 - Schoenlein		

Atty Istanbulian, Flora, sole practitioner (for Petitioner Diane R. Sirabian, Administrator)

(1) First and Final Account (2) Petition for Its Settlement, for Allowance of Compensation to Administrator and Attorney for Ordinary and Extraordinary Services, for Reimbursement of Costs Advanced, and for (3) Final Distribution (Prob. C. 1060 et seq, 10800, 10810, 10830, 10831, 10900 12201, Fresno County

DOD: 6/3/2011		DIANE ROSE SIRABIAN , niece and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: File contains three proposed orders for the Court's consideration as follows: 1. Order Settling First and Final Account, etc.; 2. Order to Deposit Money into Blocked Account for JOHN LUC MANOU , minor son; 3. Order to Deposit Money into Blocked Account for MARIE CLAIRE MANOU , minor daughter.
		Account period: 6/3/2011 – 11/2/2012	
		Accounting - \$330,277.46	
		Beginning POH - \$248,913.09	
		Ending POH - \$173,635.17 (all cash)	
Cont. from			
	Aff.Sub.Wit.	Administrator - \$9,308.35 (statutory)	
✓	Verified	Administrator XO - \$1,000.00 (for sale of real property on Kavanagh per Local Rule)	
✓	Inventory		
✓	PTC		
✓	Not.Cred.	Attorney - \$9,308.35 (statutory)	
✓	Notice of Hrg	Attorney XO - \$1,000.00 (for petition to determine title to real property on Holland, per Declaration in Attachment C)	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Costs - \$335.90 (for minor property repairs, credit check fee on renter, recording fees)	
	Conf. Screen		
	Letters	092111	
	Duties/Supp	Closing - \$10,000.00 (for accountant's fees for preparation of final fiduciary income tax returns, miscellaneous closing expenses, and any additional liabilities)	
	Objections		
	Video Receipt		
	CI Report	Distribution pursuant to intestate succession is to:	
✓	9202	<ul style="list-style-type: none"> GALINA MANOU – \$41,105.21 cash (distribution amount accounts for deduction of \$6,455.65 due from Galina Manou, spouse, for overpayment of rental income from property on Holland (\$3,850.06), 90% of Holland expenses (\$1,728.09), and 50% of joint personal income tax return preparation fees (\$877.50); JOHN LUC MANOU – \$15,853.62 cash, to be deposited into a blocked account for the minor with no withdrawals without court approval until age 18; MARIE CLAIRE MANOU – \$15,853.62 cash, to be deposited into a blocked account for the minor with no withdrawals without court approval until age 18; JAMES MANOU – \$15,853.62 cash; ERIC MANOU – \$15,853.62 cash; PATRICK MANOU – \$15,853.62 cash; TANIA MANOU – \$15,853.62 cash. 	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: LEG

Reviewed on:
12/7/12

Updates:

Recommendation:
SUBMITTED

File 4 - Manou

Age: 80 years	KATINA SAPIEN LOZANO PAULEY was appointed as conservator of the person and estate with bond of \$60,000.00 on 10/28/11. Letters issued on 10/28/11. Inventory and appraisal was filed on 2/8/12 showing the estate valued at \$37,268.63 Notice of Status Hearing filed on 10/31/12 was mailed to the attorney, Joanne Sanoian on 10/31/2011.	NEEDS/PROBLEMS/COMMENTS: 1. Need first account or current written status report pursuant to Local Rule 7.5.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT Reviewed on: 12/6/12 Updates: Recommendation: File 5 - Lozano

DOD: 5/7/09		JEFFREY VINCENT SHUTT, SR. , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from			
	Aff.Sub.Wit.	I & A - \$81,767.62	
✓	Verified	POH - \$82,136.62	
✓	Inventory	Executor - not addressed	
✓	PTC	Attorney - not addressed	
✓	Not.Cred.		
✓	Notice of Hrg	Distribution, pursuant to Decedent's Will, is to:	
✓	Aff.Mail	W/	
	Aff.Pub.	Jeffrey Vincent Shutt, Sr., as Trustee of the	
	Sp.Ntc.	Jennifer B. Harris Living Trust of 1993 -	
	Pers.Serv.	\$82,136.36	
	Conf. Screen		
✓	Letters	10/31/11	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 12/6/12
			Updates:
			Recommendation: SUBMITTED
			File 6 - Harris

Atty Barrientos, Isabel (Pro Per – Daughter – Petitioner)

Atty Walters, Jennifer L. (Court-appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

(Prob. C. 1820, 1821, 2680-2682)

Age: 68		TEMPORARY EXPIRED 11-15-12 (NOT EXTENDED)		NEEDS/PROBLEMS/COMMENTS:	
		ISABEL BARRIENTOS , daughter, is Petitioner and requests appointment as Conservator of the Person and Estate with medical consent and dementia medication and placement powers. <u>[Note: Per Minute Order 10-12-12, Estate request is dismissed.]</u>		<u>Court Investigator advised rights on 8-21-12.</u>	
Cont. from 090612, 101812, 111512				<u>Continued from 9-6-12, 10-18-12, 11-15-12. As of 12-6-12, nothing further has been filed.</u>	
	Aff.Sub.Wit.		VOTING RIGHTS NOT AFFECTED	<u>Note: The temp order also authorized Petitioner to move the Conservatee's residence to reside with Petitioner.</u>	
✓	Verified		Need Capacity Declaration.	<u>Note: Examiner notes that the Petitioner also checked boxes for additional powers under Probate Code §§ 2590, 2351-2358, limited conservatorship, and dementia powers.</u>	
	Inventory		Petitioner states: Petition is blank. No facts are provided.	<u>Minute Order 10-12-12: The Petitioner informs the Court that Ricardo Barrientos is back in a convalescent home. The Court dismisses the Petition for Appointment of Conservator of the Estate finding that the Petitioner's desire not to go forward with that petition is a request for dismissal. The Court continues the Petition for Appointment of Conservator of the Person to 11/15/12. The temporary is extended to 11/15/12.</u>	
	PTC		Court Investigator Charlotte Bien filed a report on 8-27-12.	<u>Minute Order 11-15-12: Counsel informs the Court that she will try to contact Isabel Barrientos to see what the status is.</u>	
	Not.Cred.		The report states Mr. Barrientos and his wife have six adult children including Petitioner. Mr. Barrientos and his wife separated in May 2012 and Mrs. Barrientos reportedly resides with another daughter. Mr. Barrientos was living independently in the couple's mobile home in Madera, but suffered a stroke requiring hospitalization. Petitioner stated that her father was calling 911 regularly (six times per month) but would leave the hospital against medical advice.	<u>Note: Nothing further has been filed. There are still extensive deficiencies. See Page 2.</u>	
	Notice of Hrg	X	On 7-22-12, Mr. Barrientos was hospitalized and then released to a skilled nursing facility. He reportedly agrees with the conservatorship hoped to return home by the end of August. Both Petitioner and Mr. Barrientos' wife Guadalupe have attended care conferences at the facility, and staff stated that Petitioner appears to be a good advocate for her father and is making necessary plans to care for him once he is released. All family members reportedly agree with the petition.	SEE PAGE 2	
	Aff.Mail	X		Reviewed by: skc	
	Aff.Pub.			Reviewed on: 12-6-12	
	Sp.Ntc.			Updates:	
	Pers.Serv.	X		Recommendation:	
✓	Conf. Screen			File 8 - Barrientos	
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt	X			
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation	X			
	FTB Notice				

NEEDS/PROBLEMS/COMMENTS:

1. Need Capacity Declaration (GC-335) with Dementia Attachment (GC-335A) for consideration of medical consent and dementia medication and placement powers.

Note: Petitioner attached a physician's statement to her Confidential Supplemental Information form; however, the Capacity Declaration is a mandatory Judicial Council form that is necessary for the Court to make the findings required to grant medical consent and dementia powers. See GC-335.

2. Need Citation (GC-322).
3. Need proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Mr. Barrientos.
4. Need Notice of Hearing (Form GC-020).
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1822.

Note: Petitioner does not list relatives on the Petition; however, the Court Investigator's Report indicates the following relatives:

- Guadalupe Barrientos (Spouse)
- Diana Gamez (Daughter)
- Alice Ayala (Daughter)
- Demetrio Barrientos (Son)
- Sylvia (Daughter)
- Cindy (Daughter)

6. Need Video Receipt (Local Rule 7.15.8.)

Note: Due to the above issues, continuance for compliance may be necessary. Examiner has retained the Order and will prepare accordingly if/when granted.

Petition to Determine Construction of the Trust and to Instruct the Trustee as to the Administration of the Trust [Prob. C. 17200(b)(3)(6)]

			THELMA M. SOHM and KEITH DONALD SOHM , Co-Trustees, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
			Petitioners allege:	
Cont. from 111512			On 6/21/1991 Chester H. Sohm and Thelma M. Sohm executed the Chester H. Sohm and Thelma M. Sohm Trust of 1991 .	
	Aff.Sub.Wit.			
✓	Verified		On 4/20/1999, Chester H. Sohm and Thelma M. Sohm in their capacities as Trustors/Trustees executed the First Amendment to the Trust.	
	Inventory			
	PTC		On February 6, 2008, Chester H. Sohm and Thelma M. Sohm in their capacities as Trustors/Trustees executed the "Amendment" to the Trust.	
	Not.Cred.			
✓	Notice of Hrg		Chester died on 4/22/2012. Pursuant to the terms of the Trust upon the death of Chester, Keith Donald Sohm was nominated and agreed to serve as co-Trustee.	
✓	Aff.Mail	W/		
	Aff.Pub.		The issues before the court is the validity of the document executed on February 6, 2008.	
	Sp.Ntc.			
	Pers.Serv.		Petitioners state:	
	Conf. Screen			
	Letters		The 4/20/1999 First Amendment to the Trust added a definition of disability and changed the character of the Trust from a joint revocable trust (all assets of the trust passing to the control of the surviving spouse) to a mandatory division of assets between a Bypass Trust and Survivor's Trust following the death of the first Trustor. The primary beneficiaries of the trust estate following Thelma M. Sohm's death were not changed. Each child is to receive free of trust an equal share of the estate. The only modification was to the contingent beneficiaries for Keith D. Sohm. Instead of limiting the distribution to his only biological child, Tiffany Sohm, it includes a share for his step-children, Kevin O'Neal and Kay O'Neal.	
	Duties/Supp			
	Objections		Please see additional page	
	Video Receipt			
	CI Report			Reviewed by: KT
	9202			
✓	Order			Reviewed on: 12/6/12
	Aff. Posting			
	Status Rpt			Updates:
	UCCJEA			
	Citation			Recommendation:
	FTB Notice			

On February 6, 2008, Petitioner and Chester H. Sohm executed The Amendment to the Chester H. Sohm and Thelma M. Sohm Trust of 1991. It recites a change in address, and a sale of real property located in Prather, CA. It also purports to amend the trust back to the original form as executed on 6/26/1991.

Petitioner, as original Settlor, has first-hand knowledge of the Trustor's joint intent.

To the best recollection of the Petitioner, Thelma M. Sohm, the Amendment dated 2/6/008 was drafted and signed at the Clovis Senior Center. Said Amendment was created solely by Chester H. Sohm, who had been showing signs of cognitive impairment for a number of years. By 2000 Chester was having difficulty making decisions and was acting out in an angry and resentful fashion in 2008, the year of the purported "Amendment." Petitioner, Thelma H. Sohm, declares that the only reason she signed the Amendment was because she was embarrassed and her husband was making a "scene." Attached to the Petition is a "Patient Summary Report" prepared by the University of California, San Francisco staff dated 2/24/2011, where they concluded Chester H. Sohm had dementia.

Petitioner requests instructions from the Court to disregard the "Amendment" dated 2/6/2008, as Chester H. Sohm, Trustor/Trustee lacked the capacity to amend his Trust, and to administer the Trust pursuant to the First Amendment dated April 20, 1999.

Wherefore, Petitioners pray for an Order of this Court:

1. Instructing Petitioners to administer the Trust pursuant to the Terms of the First Amendment to the Chester H. Sohm and Thelma M. Sohm Trust of 1991. Said amendment is dated April 20, 1999.
2. To disregard the Amendments to the Chester H. Sohm and Thelma M. Sohm Trust of 1991, dated February 6, 2008.

10 Rachael Lynn Bingham-Mathia (GUARD/P)

Case No. 12CEPR00908

Atty Lopez, Amy L (for Petitioner Amanda Joy Mathia)

Atty Hopper, Cindy J (for Rebecca Jones and Chad Jones, maternal grandparents)

Atty Kharazi, H. Ty (for Thomas Bingham-Mathia, father)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 5 years		TEMPORARY EXPIRES ON 12/13/12		NEEDS/PROBLEMS/COMMENTS:	
		AMANDAJAY MATHIA, paternal great-aunt, is petitioner.		1. Need Notice of Hearing.	
		Father: THOMAS BINGHAM-MATHIA		2. Need proof of personal service of the Notice of Hearing on:	
Cont. from		Mother: TERESA BINGHAM-MATHIA – consents and waives notice.		a. Thomas Bingham-Mathia (father) Note: father was served with a copy of the petition but has not been served with the Notice of Hearing.	
	Aff.Sub.Wit.		Paternal grandfather: Vincent Mathia	3. Need proof of service of the Notice of Hearing on:	
✓	Verified		Paternal grandmother: Cathy Amero	a. Vincent Mathia (paternal grandfather)	
	Inventory		Maternal grandfather: Chad Jones	b. Douglas Bingham (paternal grandfather)	
	PTC		Maternal grandmother: Rebecca Jones	c. Cathy Amero (paternal grandmother)	
	Not.Cred.			d. Chad Jones (maternal grandfather)	
	Notice of Hrg	X		e. Rebecca Jones (maternal grandfather)	
✓	Aff.Mail	W/	Petitioner alleges: the minor has been residing with her since October 2011. The mother is unable and unwilling to care for the minor. The father resides in Arizona and is ordered to have supervised visits only. Father has not exercised any visitation since February 2012. For the past year, Petitioner has been primarily responsible for the minor's needs and welfare. Petitioner loves the minor child and treats her as if she were her own daughter. Petitioner requests the court grant the guardianship so that she has the ability to make all legal decisions for the minor child. Petitioner also wishes to continue to keep the child loved, safe and free from harm.	Please see additional page	
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	W/			
✓	Conf. Screen		Objections to Appointment of Guardian filed by Rebecca Jones and Chad Jones, maternal grandparents, on 10/22/12. Objectors allege: The statements made by the Petitioner are not accurate. The maternal grandparents request the court deny Amandajoy's request for guardianship.	Reviewed by: KT	
✓	Letters			Reviewed on: 12/7/12	
✓	Duties/Supp			Updates:	
✓	Objections			Recommendation:	
	Video Receipt			File 10- Bingham-Mathia	
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

10 Rachael Lynn Bingham-Mathia (GUARD/P) Case No. 12CEPR00908

Thomas Bingham-Mathia's (father) Declaration in Support of Termination of Temporary Guardianship filed on

11/21/12. Mr. Mathia states that unbeknownst to him his daughter has been living with and in the care of Petitioner for approximately 1 year. Mr. Mathia states he was completely unaware that his daughter had been living with Petitioner all this time. In fact, throughout the entire process in which Teresa [mother] and Mr. Mathia were trying to work out custody and visitation of the minor, Petitioner and Teresa have fraudulently claimed that the minor was in the care of her mother.

Mr. Mathia states the current Family Court order granted on 7/6/2011 gave Teresa sole legal and physical custody of the minor. Father was given supervised visits on the 4th weekend of each month Saturday and Sunday from 9:00 a.m. to 1:00 p.m. The visits were to occur and the club house located at the apartment of the supervisor [Amanda Joy Mathia]. In the event of controversy regarding the selection of the third party supervisor, parties shall contact an agency that provides supervised visitation. Each parent will be responsible for his or her own registration fees and/or orientation costs. All costs of said supervised visitation shall be the responsibility of the mother and the father.

Mr. Mathis alleges that the first visitation did not go well with Amanda Joy Mathia supervising. Mr. Mathia states he told the mother that he felt it was best to go through an agency. Mr. Mathia states he told the mother that he could not afford the visits on his own and that the court order stated she was to split the costs but mom refused to help. Mr. Mathia states he suggested other third party supervisors but mom refused to agree to any of them. Since February 2012 Mr. Mathia states he has only been able to have telephone communications with his daughter.

For the first few months Mr. Mathia states he had no issues taking with his daughter. At times they would video chat and times he would call the minor and they would chat for up to an hour. However, on or around May of 2012 these communications with the minor decreased.

Petitioner and Teresa [mother] would purposely plan activities with the minor during Mr. Mathia's designated call times so that the minor would not want to stay and talk to him. They would tell the minor that they were taking her swimming, to Chuck-e-Cheese, or to play with friends. As of late, the conversations last maybe one minute because the minor ants to get to the activity that the Petitioner and mom have planned for her.

Mr. Mathia states he is not a danger to his daughter as seen by his psychiatric assessment (Exhibit B). His daughter has never expressed fear nor has she ever seemed anxious when they spend time together. In fact it is the opposite, the minor wants to tell her father about her day, wants to watch movies with him, or play games together. The minor and Mr. Mathia have a good relationship despite what the Petitioner wants the court to believe.

Mr. Mathia is requesting the Court terminate the temporary guardianship and allow the Family Court to determine custody of the minor. Furthermore, Mr. Mathia alleges Petitioner has tried to extort money from him and lied to the Family Court about her involvement with the minor. Petitioner has no legal ties to the minor. Petitioner is the sister of Mr. Mathia's biological father who severed his legal relationship with Mr. Mathia when Mr. Mathia was adopted by Douglas Bingham as a child. Petitioner is not Rachel's legal aunt as she claims.

Teresa [mom] has already stated she is unable to care for the minor. Mr. Mathia states he has a stable job and lives in a loving home with his mother and step-father. Both his parents are active members of the church and are foster parents themselves. Mr. Mathia believes it is in the minor's best interest to be in a stable loving home with her father.

Please see additional page

Court Investigator Julie Negrete's Report filed on 11/15/12

NEEDS/PROBLEMS/COMMENTS (cont):

4. Thomas Mathia (father) reports that the minor has Native American Ancestry. Therefore, a *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030), must be served together with copies of petition and all attachments, including this form (Please see Probate Code 1460.2, and CA Rules of Court 7.1015) Note: Because Petitioner is represented by an attorney it is the attorney's responsibility to have the Notice served on the appropriate parties.
5. Thomas Bingham Mathia states he was adopted as a child by Douglas Bingham, therefore he is the legal paternal grandfather and would be entitled to notice of this hearing see #3b above.

Petition for Appointment of Guardianship of the Person

Age: 5 years		<u>TEMPORARY EXPIRES 12/13/2012</u>		NEEDS/PROBLEMS/COMMENTS:
		<p>MARY WINTER, maternal grandmother, is petitioner.</p> <p>Father: GREGORY C. THARPE, personally served on 10/18/2012.</p> <p>Mother: SARA THARPE – consents and waives notice.</p> <p>Paternal grandfather: Paul Clark, served by mail on 10/15/2012 Paternal grandmother: Rowena Clark, served by mail 10/15/2012 Maternal grandfather: David Winter, served by mail 10/15/2012</p> <p>Petitioner states the child has been with the proposed guardian for two years. Both parents are participating in drug/alcohol treatment program and are unable to care for the child. The child has started school and the proposed guardian needs the legal authority to address the child's educational and medical needs.</p> <p>Court Investigator Jo Ann Morris' report filed 12/05/2021.</p>		
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT / LV
				Reviewed on: 12/06/2012
				Updates:
				Recommendation:
				File 11- Tharpe

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 16		TEMPORARY EXPIRES 12/13/12		NEEDS/PROBLEMS/COMMENTS:	
		MARY T. PEREZ , paternal grandmother, is petitioner.		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Father: CIRIACO EDWARD MORO		<ul style="list-style-type: none"> Ciriaco Edward Moro (Father) Alexis Mary Mora (Minor) 	
	Aff.Sub.Wit.		Mother: JENNIFER CASTENEDA – personally served on 10/24/12.	2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
✓	Verified		Paternal grandfather: Alberto V. Perez, Jr.	<ul style="list-style-type: none"> Alberto V. Perez, Jr. (Paternal Grandfather) Dan Flores (Maternal Grandfather) Lydia (Maternal Grandmother – last name unknown) 	
	Inventory		Maternal grandfather: Dan Flores	3. Need Letters	
	PTC		Maternal grandmother: Lydia “unknown”		
	Not.Cred.		Petitioner alleges: the minor has been in the care of Petitioner since 2003. Petition states the minor is a special needs child. She is autistic and requires unique and individual attention. Petitioner states earlier this year she became ill and she asked the mother to care for the minor while she recovered. Petitioner alleges that last week mom insisted she take the minor back. When Petitioner stated she was still recovering, mom placed the minor in In Home Care services in Lindsey. Petitioner is requesting temporary guardianship so that she can take the minor out of the in home care provider.		
✓	Notice of Hrg				
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
	Letters	x			
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order		Court Investigator Jo Ann Morris’ report filed 12/06/2012.		
	Aff. Posting			Reviewed by: KT / LV	
	Status Rpt			Reviewed on: 12/07/2012	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 12 - Mora	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 09/19/2012			BRETT ALAN TODD , non-relative/named executor without bond, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			Full IAEA – o.k.	
	Aff.Sub.Wit.	s/p		
✓	Verified		Will dated: 03/08/2012	
	Inventory			
	PTC		Residence: Fresno	
	Not.Cred.		Publication: The Business Journal	
✓	Notice of Hrg		<u>Estimated value of the Estate:</u>	
✓	Aff.Mail	w/o	Personal property - \$150,000.00	
✓	Aff.Pub.			
	Sp.Ntc.		Probate Referee: Steven Diebert	<u>Note:</u> If the petition is granted status hearings will be set as follows:
	Pers.Serv.			
	Conf. Screen			<ul style="list-style-type: none"> • Friday, 05/10/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 012/07/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
✓	Letters			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
✓	Duties/Supp			
	Objections			Reviewed by: KT / LV
	Video Receipt			Reviewed on: 12/07/2012
	CI Report			Updates:
	9202			Recommendation: Submitted
✓	Order			File 13 - Sheely
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Probate Status Hearing Re: Filing First Account and Inventory & Appraisal

DOD: 4-19-04		<p>STEPHEN RONALD CLOUD was appointed Executor with full IAEA without bond on 8-29-06 and Letters Issued 8-30-06.</p> <p>Inventory and appraisal was due 12-29-06.</p> <p>First account or petition for final distribution was due 8-30-07.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This is the 16th status hearing regarding this matter.</p> <p><u>Minute Order 11-7-12:</u> Matter continued to 12-13-12. The Court reserves the issue of the OSC until 12-13-12.</p> <p><u>Note:</u> At hearing on 8-9-12, the Court set this status hearing as an Order to Show Cause for Stephen Cloud Re: failure to act as Executor and sanctions in the amount of \$1,000.00. Notice was mailed to Stephen Cloud, Jr. and Jan Perkins.</p> <p><u>Examiner's Note:</u> Examiner notes that the notice to Steven Cloud <u>Jr.</u> may have been a clerical error; however, the addresses provided in the Court file are the same. <u>To clarify:</u> Steven Ronald Cloud is the Executor; Steven Cloud, <u>Jr.</u>, is an heir.</p> <p><u>Note:</u> An amended accounting has been filed in the related conservatorship estate (0458379) and is set for hearing on 12-13-12 (Page 1)</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg		<p>Status Report filed 11-6-12 by attorney Perkins states this estate is dependent on the receipt of assets from the conservatorship estate. The Conservator has refiled his Sixth and Final Account that is set for hearing on 12-13-12. Immediately upon settling, Executor will prepare and file an Inventory and Petition for Final Distribution to close the decedent's estate.</p>	
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			<p>Declaration of Stephen Ronald Cloud in Response to Order to Show Cause filed 11-6-12 states he was not able to file an inventory or otherwise proceed because the conservatorship assets have not yet been delivered to the estate. Executor hopes the Court will realize that he has done all he could to act as Executor and hopes that he will not be sanctioned. Executor sincerely apologizes to the Court and its staff for the unusual amount of the Court's time that has been taken while he has tried to conclude the Conservatorship and this matter.</p>
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 11-2-12</p> <p>Updates: 11-7-12</p> <p>Recommendation:</p> <p>File 14 - Cloud</p>	

Probate Status Hearing Re: Filing of the Next Account

Age:		
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

NEEDS/PROBLEMS/COMMENTS: <div style="text-align: center;"><u>OFF CALENDAR</u> 5TH and Final Account was approved on 12/01/11</div>
Reviewed by: JF
Reviewed on: 12/07/12
Updates:
Recommendation:
File 15 - Hervatine

Age: 13		<u>GENERAL HEARING 02/04/13</u>		NEEDS/PROBLEMS/COMMENTS:	
		RHONDA GARCIA , maternal second cousin, is Petitioner.		1. Need Notice of Hearing . 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Ralph Galindo, IV (minor) - Heather Galindo (mother) - Ralph Galindo, III (father), <i>unless diligence is found. Declaration of Due Diligence filed 12/03/12 states that his whereabouts are unknown.</i>	
		Father: RALPH GALINDO, III – <i>Declaration of Due Diligence filed 12/03/12</i>			
Cont. from		Mother: HEATHER GALINDO			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	x	Paternal grandfather: RALPH GALINDO, Jr. – <i>deceased</i> Paternal grandmother: ELIZABETH GALINDO		
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x	Maternal grandfather: GUY TODD Maternal grandmother: DEBBIE TODD – <i>deceased</i>		
✓	Conf. Screen		Petitioner alleges that the minor's mother is incarcerated at Fresno County Jail and his father is homeless and has a drug problem. The father has not contacted petitioner since the minor has been in her care. When the child was previously in his father's care, he was often left at random people's houses with no food or clothes. Mother provided letter to Petitioner agreeing with the temporary guardianship.		
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCC/JEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 12/07/12	
				Updates:	
				Recommendation:	
				File 16 - Galindo	

Pro Per Gloria Dobbins (pro per - maternal great-grandmother/Guardian)

Pro Per Zamora, Jessica (pro per – mother/Petitioner)

Petition for Termination of Guardianship

Age: 8	JESSICA ZAMORA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 08/13/12</u> Minute Order from 08/13/12 states: The Court informs the parties that conjoint counseling needs to be set up. The Court orders Gloria Dobbins to contact Dr. Weir and indicate to him that the Court wants mother, Jessica Zamora, to participate in counseling with Jaden. Court Investigator Julie Negrete is ordered to follow-up with Dr. Weir as to the status of counseling. The Court orders that Jaden start school at Jefferson and that mother Jessica Zamora receive any and all information regarding grades and activities. Visitation to continue. As of 12/07/12, the following needs remain: 1. Petitioner states that the father is unknown; however, according to the original Petition for Guardianship, the father of the minor is Derrick Laughter. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence for: - Derrick Laughter (father) 2. Need supplemental CI report.
	GLORIA DOBBINS , maternal great-grandmother, was appointed as Guardian on 03/29/07. <u>(Personally served on 05/14/12)</u>	
	Father: UNKNOWN (DERRICK LAUGHTER per original guardianship petition)	
Cont. from 062512, 081312	Paternal grandparents: UNKNOWN	
Aff.Sub.Wit.		
✓ Verified	Maternal grandmother: DECEASED	
Inventory	Maternal grandfather: DAVID ZAMORA – served by mail on 05/16/12	
PTC		
Not.Cred.		
✓ Notice of Hrg	Petitioner states that she consented to her grandmother, Gloria Dobbins, becoming Jaden's guardianship back in 2007 because she was very young and not stable. She wanted Jaden to have a home and his own bed. Petitioner states that the guardian graciously took Jaden in and she really appreciates the love she has shown Jaden and the home she has provided him. Petitioner states that she is now stable in her own home and has 3 other children who live with her. Her children are clean and happy. Her daughter who is in school is doing very well. Petitioner states that she also went back to school and earned her high school diploma. Petitioner states that her grandmother, the guardian, is now 80 years old and in recent months has become less able to care for herself and Jaden. Petitioner states that Jaden has expressed concern about losing the guardian and where he will live after she passes away. Petitioner states that Jaden lives alone with the guardian and the responsibility he feels when she falls ill is more than he should have to bear as an 8 year old. Petitioner states that Jaden needs to transition to her home and life with her before the guardian passes away and that it would be healthier for him to enjoy a mother-son relationship with her and be with his siblings.	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting	Court Investigator Julie Negrete filed a report on 06/18/12.	Reviewed by: JF
Status Rpt	Court Investigator Julie Negrete filed a report on 08/07/12.	Reviewed on: 12/07/12
UCCJEA		Updates: 12/10/12
Citation	Court Investigator Julie Negrete filed a supplemental report on 12/07/12.	Recommendation:
FTB Notice		File 17 - Zamora

18 Marilynne R. Martin (Estate)
Atty Lyon, Mark

Case No. 12CEPR00032

Probate Status Hearing Re: Filing Receipt and Final Petition

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Order on Final Distribution filed 8-1-12 Receipts filed 9-4-12 Order for Final Discharge filed 9-18-12
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 12-7-12
		Updates:
		Recommendation:
		File 18 - Martin

Zambrano, Valeria B. (Pro Per – Non-relative – Petitioner)

Age: 3 months			<u>TEMP EXPIRES 12-13-12</u>			NEEDS/PROBLEMS/COMMENTS:		
			VALERIA B. ZAMBRANO , father's fiancée, is Petitioner.			<u>Minute Order 10-30-12 (Temp):</u> The Petitioner advises the Court that the Proof of Service for mother was filed this morning. The Petitioner further advises that the father is in custody in Fresno County. The Petitioner is informed that father needs to be served. The Court grants the petition. The temporary expires on 12/13/12. The General Hearing remains set for 12/13/12. Petition granted. Order signed before court trial. Temporary extended to 12/13/12.		
			Father: ANTONIO MANSANALEZ - Incarcerated at Fresno County Jail					
			Mother: VALERIE CHAPMAN - Served re Temp Hearing only					
			Paternal grandfather: RAUL MANSANALEZ Paternal grandmother: MARIA ELIZONDO					
			Maternal grandfather: UNKNOWN-DECEASED Maternal grandmother: UNKNOWN-DECEASED					
			Petitioner alleges CPS advised petitioner to seek guardianship of the minor because the mother tested positive for meth when she gave birth to Antonio and has three other children that were removed by CPS. Petitioner states she wants to give the child a good loving life and home and will soon be his stepmother as she and the father plan to be married in December 2012. She has bonded with the child since his birth and since she brought him home on 9-20-12. Petitioner attached DCFS emergency report dated 9-24-12 indicating that plan for Petitioner to seek guardianship, and a notarized letter dated 9-18-12 from the mother granting temporary guardianship to Petitioner.					
			DSS to file report, clearances.					
			Court Investigator: Dina Calvillo					
Aff.Sub.Wit.								
✓	Verified							
	Inventory							
	PTC							
	Not.Cred.							
	Notice of Hrg	X						
	Aff.Mail	X						
	Aff.Pub.							
	Sp.Ntc.							
	Pers.Serv.	X						
✓	Conf. Screen							
✓	Letters							
✓	Duties/Supp							
	Objections							
	Video Receipt							
	DSS Report	X						
	Clearances	X						
✓	Order							
	Aff. Posting							
	Status Rpt							
✓	UCCJEA							
	Citation							
	FTB Notice							
						1. Need Investigation Report and clearances.		
						2. Need Notice of Hearing.		
						3. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Antonio Mansanalez (Father) - Valerie Chapman (Mother)		
						4. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandfather Raul Mansanalez - Paternal Grandmother Maria Elizondo		
						Reviewed by: skc		
						Reviewed on: 12-7-12		
						Updates:		
						Recommendation:		
						File 19 - Mansanalez		

David, 6			TEMP EXPIRES 12-13-12 JEANNETTE and ALEXANDER ESTRADA , paternal aunt & uncle, are Petitioners. Father: DAVID FERNANDO CORRALES - <i>Currently incarcerated at Avenal</i> Mother: ANGELICA ALEGRIA - <i>personally served 10-23-12</i> Paternal grandfather: Camilo C. Corrales - <i>Served by mail (?)</i> Paternal grandmother: Rosa H. Molina - <i>Served by mail (?)</i> Maternal grandfather: Unknown Maternal grandmother: Linda Perez - <i>Deceased</i> Siblings: Marissa Alegria and Alexis Palomino - <i>Served by mail (?)</i> Petitioners allege the children's father is incarcerated and their mother is homeless, abuses drugs, and engages in criminal activity. Petitioners allege that the mother has not enrolled the children in school and neglects their health and dental care. Petitioners further allege that the mother's boyfriend mistreats the children and is abusive to the mother in front of the children. Petitioners state that temporary guardianship is necessary to provide the children with a safe home and enroll them in school. Court Investigator Samantha Henson filed a report on 12-6-12.	NEEDS/PROBLEMS/COMMENTS: 1. The proof of service on the Notice of Hearing filed 10-30-12 does not indicate that a copy of the Petition was served on the grandparents per Probate Code §1511. The Court may require amended service.
Isaiah, 5				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/o		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 07/28/2010		RAMONA K. CARSON , sister, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	<p>1. Petition states that the only item of determination is Department of Veterans Affairs Benefits, the petition does not include real property as required pursuant to Probate Code §13151. A Petition to Determine Succession to Real Property cannot be used unless there is real property that is to pass along with the personal property.</p>
		No other proceedings	
Cont. from		I & A - ?	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	x Decedent died intestate.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT / LV Reviewed on: 12/07/2012 Updates: Recommendation: File 21 - Carson

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 6 months		<p align="center"><u>GENERAL HEARING 02/05/2013</u></p> <p>KELLEY DENISE GALVAN, non-relative, is petitioner.</p> <p>Father: JERRY LEE BRYSON, Consents and Waives Notice</p> <p>Mother: MARGARITA D. HERNANDEZ, Consents and Waives Notice</p> <p>Paternal Grandfather: Unknown Paternal Grandmother: Adelaida McClain</p> <p>Maternal Grandfather: Thomas Hernandez, Deceased Maternal Grandmother: Jane Hernandez, Consents and Waives Notice</p> <p>Petitioner states: mother is incarcerated and the father has substance abuse problem, he asked that the petitioner care for the minor child. Child has been with the petitioner since the mother turned herself in. The child will soon need to be immunized.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
	N/A		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
	N/A		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<div>Reviewed by: LV</div> <div>Reviewed on: 12/07/2012</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 22- Bryson</div>	

Petition to Establish Fact of Marriage

		<p>SUKHJINDER SINGH DHALIWAL and PRABHJEET KAUR, are petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioners do not state whether they obtained a marriage license before the wedding. If a license was not obtained prior to the marriage ceremony, it appears that the marriage is not valid pursuant to Family Code § 306. (Pursuant to H&S 103450, the purpose of obtaining an order establishing fact of marriage is to obtain a certificate to replace one which was never registered or to obtain a certified copy of the registration when the original records were lost or destroyed. Thus, the procedure is designed to cure a failure to register the marriage, not the failure to obtain a license.)</p> <p>2. The Order was completed in Blue ink; however, the form states it must be completed in black ink only. If it is determined that Petitioners did obtain a marriage license prior to their ceremony, will need a revised Order completed in black ink.</p>
		<p>Petitioners state:</p> <p>They were married on 06/08/05 at Guru Nanak Sikh Temple in San Joaquin, California. The marriage was solemnized under the Sikh religious rites in the presence of their Holy Book – the Sri Guru Granth Sahib. The marriage was officiated by the reverent Sikh priest, Pala Singh. The marriage was witnessed by friends and family. They did not register the marriage with the civil authorities of the State of California because they sincerely believed that the ceremony performed in the Sikh temple on 06/08/05 was legally recognized as a civil marriage. Had they known they were required to register the marriage with the State of California, they would have done so in a timely manner. It was their understanding that the Sikh Temple would take care of any formalities associated with marriage registration. They were not informed or aware of anything they needed to do to register their marriage. They have been happily married since 06/08/05 and have two children together. Petitioners request that the Court find that they were legally married on 06/08/05.</p> <p>Petitioners have attached a Certificate of Marriage from Guru Nanak Sikh Temple signed by Petitioners, witnesses and Priest, Pala Singh, stating that they were married on 06/08/05.</p>	<p>Declaration in Support of Petition to Establish Fact of Marriage filed 12/04/12 by Raghbir Singh states: He is Prabhjeet Kaur's father and was present at the wedding on 06/08/05.</p>
Cont. from		<p>Declaration in Support of Petition to Establish Fact of Marriage filed 12/04/12 by Natha Singh Muhar states: He is a family friend of Sukhjinder Singh Dhaliwal and was present at the wedding on 06/08/05.</p>	<p>Reviewed by: JF</p> <p>Reviewed on: 12/07/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 – Dhaliwal & Kaur</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
✓	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
✓	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petition for Appointment of Temporary Conservatorship of the Person

Age: 51 years		TEMPORARY EXPIRES 12/13/12		NEEDS/PROBLEMS/COMMENTS:	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
	Letters	X			
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	X			
	9202				
	Order	X			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation	X			
	FTB Notice				

<p>JANE BRAGG, mother, is petitioner and requests appointment as conservator of the person and estate without bond.</p> <p>Estimated value of the Estate: Personal property - \$8,000.00</p> <p>Petitioner states the proposed conservatee is in a coma and requires acute care and skilled nursing.</p> <p>Petitioner requests that bond be waived given her relationship to the conservatee, her good standing in the community, and given the financial circumstances of the proposed Conservatee.</p>		<p>1. Need Notice of Hearing.</p> <p>2. Need proof of service of the Notice of Hearing along with a copy of the Temporary Petition on: a. Michael David Callahan (son) b. Elias Callahan (son) c. Rebecca Callahan (sister) d. David Callahan (brother)</p> <p>3. Need Citation</p> <p>4. Need proof of personal service of Citation along with a copy of the Temporary Petition on: a. Michael Joseph Callahan (conservatee)</p> <p>5. Petitioner requests that no bond be required. Probate Code 2320 states except as otherwise provided by statute, every person appointed as conservator shall, before letters are issued, give a bond approved by the court. Probate Code §2321 states notwithstanding any other provision of law, the court in a conservatorship proceeding may not waive the filing of a bond or reduce the amount of bond required without a good cause determination by the court which shall include a determination by the court that the conservatee will not suffer harm as a result of the waiver or reduction of bond.</p> <p>Court Investigator Charlotte Bien to provide: 1. Court Investigator's Report 2. Advisement of Rights</p> <p>Reviewed by: KT</p> <p>Reviewed on: 12/10/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 - Callahan</p>
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(1) Petition for Approval of Payment of Conservator's Fees and Reimbursement of Costs Advanced, for (2) Payment of Conservator's Attorney's Fees and Reimbursement of Costs Advance, and for (3) Order that Bond amount is Sufficient [Prob. C 1460, 2320, 2640(a)(2)-(3)]

			<p>KATE A SINGH and HUBERT MITCHELL, Co-Conservators of the Person, and BRUCE D. BICKEL, Conservator of the Estate, are Petitioners.</p> <p>Petitioners state: On 3-29-12, the Court approved the sale of two pieces of commercial real property in Los Angeles that were in imminent danger of foreclosure, which would have resulted in the loss of equity to the conservatorship estate. In November 2012, Petitioners met with an accountant to review the Conservatee's tax status in anticipation of year end, and the accountant prepared an estimate of the Conservatee's tax returns. The estimate revealed that due to the depreciation of the properties in prior tax years, a significant amount of capital gains tax would likely be due (approx. \$225,000.00). The accountant advised that payment of attorney's fees and conservator's fees incurred and relating to the sale of the two properties would increase the properties' tax basis as a cost of sale, with the concurrent result of a decreased amount of capital gains tax due.</p> <p>Therefore, Petitioners request to be paid from the conservatorship estate for time and services performed at this time.</p> <p>Bruce D. Bickel: \$11,366.00 plus costs of \$472.80 (itemized declaration attached for services specifically related to the sale of the properties)</p> <p>Wright & Johnson: \$5,609.50 plus costs of \$2,881.80 (itemized)</p> <p>Petitioners also request an order that Mr. Bickel's bond amount of \$966,000.00 is sufficient. Petitioners state I&A totals \$2,134,376.08 including cash and various real and personal property. Petitioners provide information regarding excluding proceeds from an Eminent Domain Action and pension income consumed by expenses.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition was originally set for hearing on 1-29-13; however, pursuant to Order on Ex Parte Application for Order Shortening Time, the hearing was moved to 12-13-12.</p> <p><u>Note:</u> I&As total \$2,134,376.08 including cash and various real and personal property.</p> <ol style="list-style-type: none"> Wright & Johnson requests reimbursement of \$358.15 for Fed Ex (overnight delivery) pursuant to the order shortening time for this hearing. The Court may require clarification per Local Rule 7.17.C. Petitioners request an order that bond is sufficient based on the information provided in this petition; however, Petitioners state an accounting will be filed by 5-16-13. The Court may wish to reserve this request until accounting is filed. Need order.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

D.W. Ketscher DOD: 3-24-93		PRISCILLA KETSCHER, Sole Surviving Trustee of THE MARITAL TRUST CREATED UNDER THE D.W. KETCHER TRUST dated 3-22-91, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need order.
		Petitioner states: Upon his death, the D.W. KETCHER TRUST dated 3-22-91 was divided into three separate portions including the Marital Trust, which is irrevocable. Petitioner is the sole current beneficiary of the Marital Trust and upon her death, the balance is to be distributed equally between the trustor's daughters Mary Wright Basso and Caroline Ketscher Alfheim. Both consent to and waive notice of this petition.	
	Aff.Sub.Wit.	Petitioner requests the Court divide the Trust into two separate trusts (Marital Trust – A and Marital Trust – B), which would continue to be administered under the same terms and conditions as set forth in the Trust, to reduce potential federal estate taxes that may be owed at Petitioner's death and to maximize the remaining assets that will eventually pass to the beneficiaries. Marital Trust B would be non-proportionately funded with \$2,500,000.00 of assets from the Marital Trust, and Marital Trust A would be funded with the remainder.	
<input type="checkbox"/>	Verified		
	Inventory	As of Sept. 2012, the total assets of the Marital Trust are approx. \$8,051,978. The Marital Trust is a qualified terminable interest property trust ("QTIP Trust") under IRC § 2056(b)(7) which qualified for the marital deduction at the death of D.W. Ketscher and was not subject to estate taxes in his estate. However, the Marital Trust will be included in Priscilla Ketscher's estate for estate tax purposes under IRC § 2044.	
	PTC		
	Not.Cred.	Petitioner states that in 2012, the federal estate and gift tax exemptions are both \$5,120,000; however, current law states that such exemptions will be reduced to \$1,000,000.00 in 2013 if the law is not changed by congress. If the Marital Trust is divided into two separate trusts, Petitioner, the current beneficiary, can make a nonqualified disclaimer of Marital Trust – B, causing the entire value of such trust to be treated as a gift to the remainder beneficiaries for tax purposes, and allow Petitioner to use a portion of her current gift tax exemption in 2012. Further, it will not be included in her estate for estate tax purposes.	
N/A	Notice of Hrg		
	Aff.Mail	Due to the scheduled change in the law, the estimated savings is estimated at \$875,000.00. If the division does not occur and Petitioner makes a nonqualified disclaimer of the marital trust, it would cause gift taxes to be owed on the value of the Marital Trust in excess of the remaining gift tax exemption, equaling approx. \$4,000,000.00 of taxable gifts, all of which could have been deferred by the proposed division of assets.	
	Aff.Pub.		
	Sp.Ntc.	Petitioner prays for an Order that:	
	Pers.Serv.		
	Conf. Screen	1. The Marital Trust created under the D.W. Ketscher Trust dated 3-22-91 be divided into two separate trusts named the "Marital Trust – A created under the D.W. Ketscher Trust dated 3-22-91" and the "Marital Trust – B created under the D.W. Ketscher Trust dated 3-22-91";	
	Letters		
	Duties/Supp	2. Marital Trust – A and Marital Trust – B shall be administered under the terms and conditions as the "Marital Trust" created under the D.W. Ketscher Trust dated 3-22-91;	
	Objections		
	Video Receipt	3. Marital Trust – B shall be funded non-proportionately with assets equal to \$2,500,000.00 from the Marital Trust, and Marital Trust – A shall be funded with the remaining assets of the Marital Trust; and	
	CI Report		
	9202	4. For such other orders as the Court deems just and proper.	
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: skc

Reviewed on: 12-10-12

Updates:

Recommendation:

File 26 - Ketscher